

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 359 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. [EFFECTIVE JULY 2, 2004] (a) As used in this
4 SECTION, "comprehensive care bed" means a bed that:
5 (1) is licensed or is to be licensed under IC 16-28-2; or
6 (2) is subject to IC 16-28.
7 The term does not include a comprehensive care bed that will be
8 used solely to provide specialized services and is subject to
9 IC 16-29.
10 (b) This SECTION does not apply to the following:
11 (1) A continuing care retirement community that is required
12 to file a disclosure statement under IC 23-2-4.
13 (2) A health facility licensed under IC 16-28 that has
14 maintained a comprehensive care bed occupancy rate of at
15 least ninety-five percent (95%) for the two (2) consecutive
16 quarters immediately preceding its notification to the state
17 department of health to add additional beds licensed under
18 IC 16-28.
19 (3) A hospital licensed under IC 16-21.
20 (4) Comprehensive care beds to be constructed, added, or
21 converted from beds in existence on December 31, 2003, and
22 eligible for licensure under IC 16-28-2, that before June 30,

2004, are approved by the state department of health under this SECTION or IC 16-29-1 (before its repeal) if the following conditions are met:

(A) Construction plans for the project to construct, add, or convert beds are approved by the state department of health and the department of fire and building safety.

(B) The applicant has provided documentation to the state department of health of the existence of adequate financing or proof of the applicant's financial ability to complete the project as approved.

(C) The applicant has completed construction of the conversion or, in the case of new construction, has completed construction of the project's foundation in conformity with the approved plans as certified by an independent architect licensed under IC 25-4 or an independent professional engineer licensed under IC 25-31.

(D) Construction work on the project, in the case of new construction, is continuous and in conformity with the approved plans.

(5) The construction of replacement comprehensive care beds equal to or less than the existing number of comprehensive care beds.

(c) Comprehensive care beds may not be added or constructed in Indiana.

(d) Residential beds licensed under IC 16-28-2 and unlicensed beds may not be converted to comprehensive care beds.

(e) The Indiana health facilities council may not recommend and the state department of health may not approve the certification of new or converted comprehensive care beds for participation in a state or federal reimbursement program, including programs under Title XVIII or Title XIX of the federal Social Security Act (42 U.S.C. 1395 et seq. or 42 U.S.C. 1396 et seq.).

(f) This SECTION expires June 30, 2006."

Renumber all SECTIONS consecutively.

(Reference is to ESB 359 as printed February 13, 2004.)

Representative Brown C